

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
Southern Division**

D. G. Sweigert,

Plaintiff,

-against-

Case 2:22-cv-10642-GAD-KGA

MULTIMEDIA SYSTEM
DESIGN, INC.

d/b/a/

Crowdsourc The Truth

Defendant.

Plaintiff

D. G. SWEIGERT, C/O
PMB 13339

514 Americas Way,
Box Elder, SD 57719

Spoliation-notice@mailbox.org

Defendant

MULTIMEDIA SYSTEM DESIGN,
INC

252 7th Avenue, Suite 6S
New York, N.T. 10001

(323)-744-7594

truth@crowdsourcethetruth.org

**REQUEST FOR ENTRY OF DEFAULT
AGAINST ODYSEE HOLDINGS, INC.**



July 23, 2022

**D. G. SWEIGERT, C/O
PMB 13339**

514 Americas Way

Box Elder, SD 57719

Spoliation-notice@mailbox.org

REQUEST FOR ENTRY OF DEFAULT AGAINST ODYSEE HOLDINGS, INC.

INTRODUCTION

1. This is a civil action for injunctive and other relief under the Digital Millennium Copyright Act (D.M.C.A.), arising out of Defendants' ongoing infringement of Plaintiff's copyright to video content. The Plaintiff now moves for an entry of default judgment.
2. As shown in ECF no. 20, ODYSEE HOLDINGS, INC. was served a summons and complaint upon their recorded business agent for service of process on June 16, 2022, as seen below:

☒ I served the summons on *(name of individual)* c/o **HARVARD BUSINESS SERVICES, INC.**, who is designated by law to accept service of process on behalf of *(name of organization)* **ODYSEE HOLDINGS, INC.** on *(date)* **06/16/2022**; or

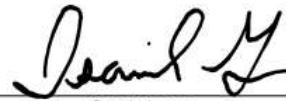
☐ I returned the summons unexecuted because ; or

☐ Other *(specify)*

My fees are \$ 0 for travel and \$ **135.00** for services, for a total of \$ **135.00**.

I declare under penalty of perjury that this information is true.

Date: 06/16/2022



Server's signature

Isaiah Greene

Printed name and title

3. The procedural steps contemplated by the Federal Rules of Civil Procedure (FRCP) following a defendant's failure to plead or defend as required by the Rules begin with the entry of a default by the clerk upon a plaintiff's request. Rule 55(a). The present ENTRY OF DEFAULT appears to be in error (ECF no 22), quoted in relevant part below:

CLERK'S ENTRY OF DEFAULT

Party in Default: Mutimedia System Design, Inc., Odyssey Holdings, Inc.

The default of the party named above for failure to plead or otherwise defend is entered.

and

KINIKIA D. ESSIX, CLERK OF COURT

By: s/ N Ahmed
Deputy Clerk

Dated: July 6, 2022

4. Apparently, only twenty days elapsed from the period of service on June 16, 2022 to July 6, 2022. Therefore, Plaintiff seeks an additional ENTRY OF DEFAULT against ODYSEE HOLDINGS, INC. as of this present date to correct the ENTRY OF DEFAULT (twenty days).

Respectfully submitted on July 26, 2022.



D. G. SWEIGERT, C/O
PMB 13339
514 Americas Way
Box Elder, SD 57719
Spoliation-notice@mailbox.org

CERTIFICATE OF SERVICE

I, hereby certify, under penalties of perjury, that a true copy of the accompanying documents has been filed electronically forwarded with pdf copies to all parties listed below on July 26, 2022.

Jason Goodman, CEO
truth@crowdsourcethetruth.org

ODYSEE HOLDINGS, INC.
julian@odysee.com
LBRY, INC. josh@lbry.io



D. G. SWEIGERT, C/O
PMB 13339
514 Americas Way,
Box Elder, SD 57719

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
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D. G. Sweigert,

Plaintiff,

-against-

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D. G. SWEIGERT, C/O
PMB 13339

514 Americas Way, Box
Elder, SD 57719

Spoliation-notice@mailbox.org

Defendant

MULTIMEDIA SYSTEM DESIGN,
INC

252 7th Avenue, Suite 6S
New York, N.T. 10001

(323)-744-7594

truth@crowdsourcethetruth.org

**PROOF OF SERVICE ON
ODYSEE HOLDINGS, INC.**



June 17, 2022

**D. G. SWEIGERT, C/O
PMB 13339**

514 Americas Way

Box Elder, SD 57719

Spoliation-notice@mailbox.org

DECLARATION OF D. G. SWEIGERT

NOW COMES D. GEORGE SWEIGERT, *pro se* non-attorney to provide truthful reproductions of documents. Respectfully submitted on this fifth day of June 17, 2022.



**D. G. SWEIGERT, C/O
PMB 13339
514 Americas Way
Box Elder, SD 57719
Spoliation-notice@mailbox.org**

CERTIFICATE OF SERVICE

I, hereby certify, under penalties of perjury, that a true copy of the accompanying documents has been filed electronically forwarded with pdf copies to all parties listed below.

Jason Goodman, CEO
truth@crowdsourcethetruth.org



**D. G. SWEIGERT, C/O
PMB 13339
514 Americas Way,
Box Elder, SD 57719**

06/16/22
10:20 AM



Signed Proof of Service upon ODYSSEE HOLDINGS, INC.

06/16/22
8:24 AM



Service completed upon ODYSSEE HOLDINGS, INC. at 16192 Coastal Hwy, Lewes, DE 19958-3608

By delivery to C/o Harvard Business Services, Inc., Registered Agent, I delivered the documents to c/o HARVARD BUSINESS SERVICES, INC., Registered Agent with identity confirmed by subject stating their name. The individual accepted service in accordance with social distancing requirements (placed the documents in a clearly visible place at least six feet away from the subject and advised the subject to retrieve them after stepping away). The individual appeared to be a bald white male contact 35-45 years of age, 5'8"-5'10" tall and weighing 180-200 lbs with a goatee. At the address I observed a package/mail addressed to subject.

Server:



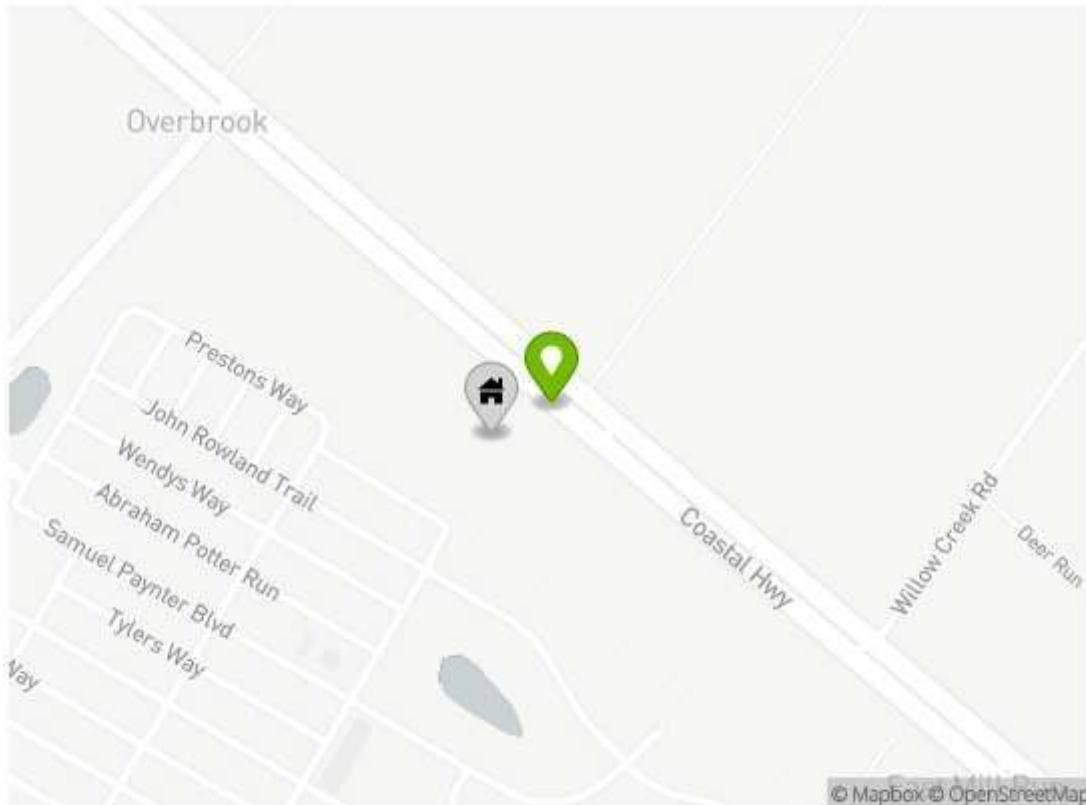
Isaiah Greene



GPS Coordinates



GPS location of service attempt: 38.765232, -75.211121



Close

Civil Action No. **2:22-CV-10642-GAD****PROOF OF SERVICE*****(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))***

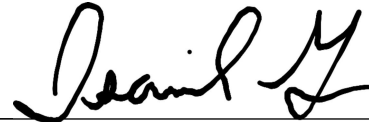
This summons for *(name of individual and title, if any)* **ODYSEE HOLDINGS, INC.**
 was recieved by me on *(date)* **6/15/2022**

- ☐ I personally served the summons on the individual at *(place)* on *(date)* ; or
- ☐ I left the summons at the individual's residence or usual place of abode with *(name)* , a person of suitable age and discretion who resides there, on *(date)* , and mailed a copy to the individual's last known address; or
- ☒ I served the summons on *(name of individual)* **c/o HARVARD BUSINESS SERVICES, INC.**, who is designated by law to accept service of process on behalf of *(name of organization)* **ODYSEE HOLDINGS, INC.** on *(date)* **06/16/2022**; or
- ☐ I returned the summons unexecuted because ; or
- ☐ Other *(specify)*

My fees are \$ 0 for travel and \$ **135.00** for services, for a total of \$ **135.00**.

I declare under penalty of perjury that this information is true.

Date: 06/16/2022



Server's signature

Isaiah Greene

Printed name and title

**830 Forest St
 Dover, DE 19904**

Server's address

Additional information regarding attempted service, etc:

I delivered the documents to c/o HARVARD BUSINESS SERVICES, INC., Registered Agent with identity confirmed by subject stating their name. The individual accepted service in accordance with social distancing requirements (placed the documents in a clearly visible place at least six feet away from the subject and advised the subject to retrieve them after stepping away). The individual appeared to be a bald white male contact 35-45 years of age, 5'8"-5'10" tall and weighing 180-200 lbs with a goatee. At the address I observed a package/mail addressed to subject.



Tracking #: 0088506456



UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

D. G. Sweigert,

Plaintiff(s),

v.

Case No. 2:22-cv-10642-GAD-EAS
Hon. Gershwin A. Drain

Mutimedia System Design, Inc.,
et al.,

Defendant(s).

CLERK'S ENTRY OF DEFAULT

Party in Default: Mutimedia System Design, Inc., Odysee Holdings, Inc.

The default of the party named above for failure to plead or otherwise defend is entered.

Certificate of Service

I hereby certify that on this date a copy of the foregoing notice was served upon the parties and/or counsel of record herein by electronic means or first class U.S. mail.

KINIKIA D. ESSIX, CLERK OF COURT

By: s/ N Ahmed
Deputy Clerk

Dated: July 6, 2022